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11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA
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14 SCOTT RAYMOND DOZIER,

15 Petitioner,

16 v.

17 JAMES DZURENDA, Director, et al.,

18 Respondents.
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Case No. 3:18-cv-00570-RCJ-CBC

ORDER GRANTING
NOTICE OF VOLUNTARY
DISMISSAL

20 Plaintiff Scott Raymond Dozier, through counsel, hereby files this notice to
21 dismiss this action under Fed. R. Civ. Pro. 41(a)(1)(A)(i). Voluntary dismissal is
22 permitted because the Defendants have not served Plaintiff with an answer or
23 motion for summary judgment. *See id.*; *see, e.g., Pedrina v. Chun*, 987 F.3d 608, 610

1 (9th Cir. 1993) (filing of notice “closes the file” as it “is a matter of right running to
2 the plaintiff and may not be extinguished or circumscribed by adversary or the
3 court”) (citing *American Cyanamid Co. v. McGhee*, 317 F.2d 295, 297 (5th Cir.
4 1963)).

5 DATED this 7th day of January, 2019.

6 Respectfully submitted,
7 FEDERAL PUBLIC DEFENDER
8 DISTRICT OF NEVADA

9 /s/ David Anthony
10 DAVID ANTHONY
11 Assistant Federal Public Defender

12 IT IS SO ORDERED this 14th day of January, 2019.

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14 _____
15 ROBERT C. JONES
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